

CONSERVATION COMMISSION
MINUTES OF THE MEETING
WEDNESDAY, DECEMBER 5, 2007 – 7:00 PM
CATA CONFERENCE ROOM
3 POND ROAD
ROBERT GULLA, CHAIRMAN

MEMBERS PRESENT

Robert Gulla, Chairman
John Feener
William Febiger
Charlie Anderson
Brandon Frontiero

MEMBERS ABSENT

Arthur Socolow
Ann Jo Jackson, Vice Chair

STAFF PRESENT

Nancy Ryder, Conservation Agent
Carol Gray, Recording Clerk

Mr. Robert Gulla Chairman opens the meeting of the Gloucester Conservation Commission.

The Agent had a brief discussion with the members of the GCC in relation to the volunteer effort regarding work on the Ordinances.

**REVIEW OF AMENDED, UPDATED OR FINAL INFORMATION, STATUS
REVIEWS, MINOR AMENDMENTS, SIGNING DECISIONS, CLOSURE OF
HEARINGS, ETC.**

DULEY, LANES COVE ROAD

NoI - The Agent reviews with the GCC stating that the abutters wanted to meet with Mike Hale regarding the barriers and they did. She notes a memo that was sent in regards to 8 granite bars spaced 6 ft apart on center. She also notes the installation of granite and 3 vertical spaced bollards.

Mr. Feener inquired as to the shrubs and Ms. Ryder, Agent notes removal by hand. The Agent notes all the conditions which are in the Statement of Reason.

She further stated that there should be long term management.

Mr. Gulla states that he will entertain a motion to approve.

MOTION: Mr. Anderson moves to approve.

SECOND: Mr. Frontiero **VOTE:** 5-0 all in favor

3 THURSTON LANE

NoI – The Agent read the Statement of Reason to the GCC.

The construction will be re: the planning of repairing the wall.

There should be minimal disturbance with the patio in sand, the erosion controls in place and 2 to 1 on or offsite mitigation. 835 sq. ft. impacted with overall sq. ft at 1670 sq. ft. A new mitigation plan is to be submitted to the GCC with the areas to be done and the plantings to be used which will be natural and non invasive.

Mr. Anderson asked of the mitigation was discussed with the applicant and Ms. Ryder stated that it needs to meet the square footage requirements.

This is a violation with already completed construction.

Mr. Gulla states he will entertain a motion to continue to allow the submission of the mitigation plan.

MOTION: Mr. Febiger

SECOND: Mr. Feener

VOTE: 5-0 all in favor

524-528 ESSEX AVE

Amendment

The Agent reviews with the GCC and states that this was already approved at the last meeting and formal signatures are needed. All members present signed.

VARIAN

The Agent explains to the GCC that this is on the agenda to correct a correction.

A signing is needed after a typo was corrected.

Status: DEP approved it and Mr. Steven Goldin appealed it.

Signed by all members present.

PUBLIC COMMENT: Mr. Gulla states that this is the time for any members of the public that would like to discuss any environmental issue that are not on the agenda for this evening. None/Closed.

54 GRAPEVINE ROAD (Map 76, Lot 37)

Request for Determination of Applicability submitted by Frank Burnham for the construction of an above ground pool and discussion and resolution of a fill violation.

Mr. Steve Pardee, rep. the applicant present along with Mr. Burnham.

The Agent notes photos that were then passed along for all GCC members to view.

It was stated that the bottom line on this is that the fill issue ends up between what the abutters stated and none, being a couple of inches to a foot. The drain with the stone culvert is not recent, functioning and daylight 10 to 20 ft. A significant reason for water, either pre or post is that both abutters have added fill. Where you fill the water has to go somewhere.

Mr. Gulla inquired as to mitigation and Ms. Ryder stated no, the applicant wanted to leave the fill and add more. Mr. Gulla inquired as to fill on top of fill and how much fill. Mr. Pardee stated 10 cubic yards and further discussed the berm, the backyard and stated a mix of stone and earth with a tree. Proposed would be bringing the elevation of the backyard to the top of the berm using 30 to 40 cubic yards as fill.

Ms. Ryder notes the shed on stone and states that the tent will be coming down. The stone would not be permitted.

Mr. Gulla notes 3 key issues: The violation of existing fill, the new fill and the pool with Ms. Ryder stating the issues as: the fill, the garage and the tent.

Mr. Anderson inquired as to whether or not an RDA was filed or an NoI with Ms. Ryder stating yes, RDA

Mr. Feener stated in re: to the fill, the drain needs to be clear to collect the water.

Mr. Pardee stated that he could not actually see a pipe but water was migrating to that area.

Ms. Ryder recommends pulling the pipes out. She further notes 1 pipe being pulled back a number of feet.

Mr. Febiger states that the plan is hard to read.

Mr. Pardee notes the pitch at around 8 inches with a distance of 40 something odd ft.

Mr. Gulla asked if mitigation for the shed and pool are to be submitted and the Agent stated that that has not happened as of yet.

Mr. Pardee notes new plantings and bushes on the side of the yard.

Mr. Gulla stated that it is not helpful on the side with Ms. Ryder stating that the GCC did propose a 10 to 20 ft. sloth of area on the property.

Mr. Gulla notes the mitigation to be on the Wetland side.

Mr. Febiger inquires as to where the pool will be placed with Mr. Pardee noting the area on the plan for the GCC to view.

Mr. Gulla states that a planting plan (20 ft section) is needed with a buffer between the Wetland.

Ms. Ryder states water absorbing plants should be used and a shift of the pool closer to the house with Mr. Pardee stating that this would leave no backyard for kids to use.

Ms. Ryder states that it should've been used as a Wetland area as you cannot fill land subject to flooding nor are you suppose to mow it.

Mr. Gulla inquires as to how far the shed is from the house with Ms. Ryder stating possibly 40 ft. She states that we could be talking a 10 to 15 ft. vegetative buffer. If the fill was not there, water would be as it is a Wetland.

Mr. Gulla suggests plantings and natural growth with some fill, crush the pipe and no fill beyond the line at the shed. Naturalize and only fill in at the front of the shed with tapering and use top soil and grass seed at the fill area. He highly recommends the creation of a grass swale and water directed not channeled.

Ms. Ryder states that she will get a list of plantings to Mr. Pardee.

PUBLIC COMMENT:

Ms. Nanette Benoit 56 Grapevine Rd. (co-owner of the property) notes her concern regarding what she says is the obvious fill violations and that yards of fill were brought in. According to Ms. Renahan the fill on there property for the past 21 years did not happen. She has a concern because the mitigation plan does not include any removal of fill. The efforts to remove the fill may make it worse but it is still a concern. She states that she is here to speak on behalf of Ms. Renahan as well.

She notes a supposed dispute between neighbors regarding individual's lifestyle, though inappropriate. There is no border dispute but clearly a violation of fill by Mr. Burnham. She states that she has been an eye witness to fill being brought in to the Burnham property.

Mr. Burnham states that this has been going on since July. He notes the issue and or dispute of individuals as to whether or not this is a personal issue. He states that someone has a vendetta against him. He just wants to correct the issues and find resolution and states that whatever it takes he will do it.

Mr. Gulla inquired as to the fill getting any higher than anyone else's and notes that it is never to exceed that.

Mr. Pardee notes that it will be only 8 inches and will be lower than the abutters on either side.

Ms. Ryder states that an NoI will need to be filed for any other fill issues.

The GCC members discussed an RDA and NoI

MOTION: Mr. Anderson moves for a positive determination.

SECOND: Mr. Febiger VOTE: 2-3 failed

A motion for negative determination was entertained.

MOTION: Mr. Feener moves for a neg. det. with conditions.

SECOND: Mr. Frontiero VOTE: 4-1 with the motion passing.

CEDARWOOD ROAD AND ATLANTIC AVENUE (Map 242, Lots 34, 35, 36, and 37).

NoI submitted by the City of Gloucester to repair a culvert with associated grading and work along the channel. Frank notes the construction to be done and states that it will include the removal of 240 ft. of culvert that has aged and clogs on a regular basis.

Mr. Gulla inquired to the neighbors and Frank stated that they have had input and are on board with it.

Mr. Anderson states that this needs to be resolved before there are any neighborhood issues.

Ms. Ryder states that if DEP comes back with no issue what are the feelings of the GCC re: the status of this issue.

Mr. Anderson recommends that the GCC approve the NoI subject to DEP comments.

Mr. Feener inquires as to mitigation with Mr. Anderson stating that in general it has to be what the City of Gloucester would do and input from the neighbors.

Ms. Ryder notes that the mitigation filing is done and permitted to be done.

PUBLIC COMMENT:

Walter Peckham states that an Emerg. Order was filed and asks if it is the culvert at the end. He thinks the order was in re: a pipe to be cleaned and wanted to know if that had been done.

Mr. Gulla states that in cleaning the pipe a tire was pulled out and that this would be Phase 2 with the first being a band-aid.

The Agent notes that the pipe was undersized and taking the pipe out allows for the natural stream channel.

Public Comment: Closed.

Mr. Gulla states he will entertain a motion to continue the matter pending DEP comments and if DEP has any issues they can come back for a full review.

MOTION: Mr. Feener moves to continue the matter to 12/19/07 7:05 PM

SECOND: Mr. Febiger VOTE: 5-0 all in favor.

7 CEDARWOOD

The Agent asks that this be continued to 02/01/08 7:30 PM

PUBLIC COMMENT: none/closed.

MOTION: Mr. Febiger moves to continue the matter to the above date and time.

SECOND: Mr. Feener

Mr. Gulla asks if the GCC has any further discussion and Mr. Anderson asked if an NoI was filed with The Agent stating that we have to wait for the City.

VOTE: 5-0 all in favor

6 to 29 KENNEDY ROAD (FKA MAGNOLIA AVE) (Map 193)

Request for Determination of Applicability submitted by Abbott Magnolia LLC, Woodlands for the construction of a residential development with associated roadways, utilities and grading at 6 to 29 Kennedy Road.

Present are Mr. Bob Forbes, Mr. Rich Kirby and Lee Bloom.

Mr. Forbes states that a more detailed plan was requested by the Agent, which was distributed to each member of the GCC. He notes a depression on the plan that was previously discussed which was outlined in orange in the retention pond noting as 80,000 cubic ft. and a 9 to 1 replication in volume.

He notes the swales and detention basin along with the 2nd swale, all noted in blue on the plan. He further notes the piping system and how it reaches the retention basin.

He discussed the other issue being runoff towards West Pond. He notes the WL delineation in bright green on the plan along with pointing out the City owned park property that is WL as well as pointing out the interceptor swales and a tree. He states that the erosion has been reduced re: runoff.

Mr. Bloom had the architect lay out the buildings on the plan.

Noting the depressions in green with 3 not being touched.

No.'s 3, 4 and 6 will be impacted by approx. 425 cubic ft. + or -.

By providing rain gardens they are able to have a total replication depression at 150 cubic ft. which would be 7 to 1. They would like to possibly modify the locations of the rain gardens should a better place be noted by a professional landscaper. Trees are to be removed where a proposed dike is to be placed. He notes the plan stating that the dike would allow storm water to fill up behind it having minimal tree removal.

Mr. Anderson inquired as to mitigation where the dikes will be and Ms. Ryder states that it is not within our jurisdiction. She notes no.'s 4, 3 and 6 behind the cemetery as being jurisdictional. She notes land subject to flooding and an earlier filing as an RDA.

She states that this should be part of the conditions. She notes comments from Mike Hale in writing and possibly the original approval from Dave Knowlton. The Planning Board and the Eng. Dept. stated SEA was approved with a letter on file.

PUBLIC COMMENT:

Mr. James Cook inquired as to the WL determination and notes the right hand corner on the plan asking the GCC to confirm that with the Agent stating yes.

Mr. Cook asked if a new WL area was being created and the Agent stated no, and that part of the basin is on the abutter's property. The storm water detention basin is not considered a resource area.

Mr. Dave Morrow inquires as to where the water will actually go to in the end, noting that there is ledge underneath. He noted the leeching field and states that this is a basin with probably a ledge base and further stated that with this being a stone bottom basin and putting in a leeching field leaving not much resource area if the sewer goes to the basin.

Mr. Forbes discusses soil conditions on the site further noting porous sand onsite. He notes when finding a cemetery it is usually a sandy site and the test pits have concluded that as true.

Mr. Cook states that there is ledge and in this area the conditions can change within ft.

Mr. Nestor states that water floods around the cemetery and onto his property. He states that fresh water is one thing but leech field being destroyed by standing water is the water that will go onto his property.

Ms. Carol Wilson states that her house is next to basin 1 and 2 and wanted to know what is being pumped into basin 1 with Mr. Forbes stating that storm water runoff would go to basin 1.

The Agent states that there is no physical connection between the basins and the septic system.

Public Comment: Closed.

Mr. Gulla inquired as to where the overflow would go with Mr. Forbes stating that it would go onto the road and on to a drainage system on Magnolia Ave.

Mr. Gulla states he will entertain a motion for negative determination.

MOTION: Mr. Anderson moves for a negative determination.

SECOND: Mr. Frontiero ABSTENTION: Mr. Febiger

VOTE: 4-0

4 LINWOOD PLACE (Map 155, Lot 9) **NEW**

Request for Determination submitted by Steven and Elizabeth Simonetti to maintain newly cleared land and landscaping and to remove an existing addition and construct a new addition with a foundation.

The Agent reviews with the GCC stating that Mr. Mark Cole, public lands manager had no issues and said the area was substantially cleaned up. She stated that she had no issues with the addition replacement.

Mr. Gulla noted his concern re: conditions being in place during construction. He notes that there should be some sort of mitigation re: the trees that were cut down.

Mr. Simonetti stated that he has already planted grass and strawberry bushes.

Mr. Feener notes that Bittersweet vine will come back no matter what you do. He notes a maintenance plan to be in place for the vines.

PUBLIC COMMENT: Closed.

Mr. Gulla states he will entertain a motion to approve a negative determination.

MOTION: Mr. Anderson moves to approve with a negative determination.

SECOND: Mr. Feener VOTE: 5-0 all in favor.

Mr. Gulla states he will entertain a motion for a 5 minute recess.

MOTION: Mr. Feener SECOND: Mr. Frontiero VOTE: 5-0 all in favor.

Meeting resumes

NORTH LANDING WAY (Map 233, Lot 6)

28-1913 Continuation of EO, NoI – Mary Whitney in response to an Enforcement Order issued to maintain sand nourishment in proximity to salt marsh and in riverfront and coastal bank areas.

Mr. Dick rep. the applicant discusses the aerial view affidavits from 1955 and 1981 showing the sand/beach. A talk with Dave Sargent was noted discussing this area and was told that it is a sand nourishment area.

The Agent notes that Dave Sargent has concerns and issues but has not received sufficient information or data to offer written comments.

It was noted that this is a limited project, noting dates and lengths of time re: this area being designated as beach nourishment. Mitigation was noted with a possible silt fence, with plantings being futile and an 8 inch drain pipe was discussed. Eroding materials from the roadway will go into shellfish beds.

Mr. Gulla inquired as to any photographic evidence prior to 1985 with Mr. Dick stating he has several photographs he can scan and place in a file.

Mr. Anderson states that the GCC needs to wait for the Shellfish report.

PUBLIC COMMENT: none/closed.

Mr. Gulla states he will entertain a motion to continue.

MOTION: Mr. Anderson moves to continue the matter to 01/09/08 8PM

SECOND: Mr. Frontiero VOTE: 5-0 all in favor

5 HESPERUS AVENUE (Map 201, Lot 38)

Request for determination submitted by John Oliver Jr. for the construction of a stone wall, patio, steps and landscaping.

John and Peg Oliver present.

This project was reviewed at the 11/7/07 meeting. No concerns were noted with the wall along the road. Concerns regarding rebuilding the wall adjacent to the stream were discussed at the last hearing.

Mr. Feener notes the pruning of vegetation along the wall further noting a condition in relation to the back edge of the wall, with no herbicides.

Mr. Oliver notes a 12 inch waddle.

Mr. Gulla states he is ok with that with the Agent noting it should be listed as up against the wall.

Mr. Gulla states he will entertain a motion for negative determination with aforesaid conditions.

MOTION: Mr. Anderson moves for neg. det. with aforesaid conditions.

SECOND: Mr. Feener ABSTENTION: Mr. Febiger VOTE: 4-0

1-4 STANWOOD POINT (Map 230, Lots 69 & 51)

Peter Sova, Little River Campground LLC, to Determine the Resource Area Delineation.

Ms. Alicia Raddatz reviews with the GCC noting 1 additional flag and notes added at the request of Ms. Ryder, Conservation Agent for the City of Gloucester.

She notes an isolated area, sassafras and the abutting property in re: the delineation of the resource area on the property.

The Agent states that there is no need to revise the plan as it can be in the decision.

Ms. Raddatz states that no file number has been issued at present noting that DEP either doesn't know or is short staffed as the check for payment has cleared through Mr. Sova's bank.

The Agent feels that DEP will not have any comments on this.

PUBLIC COMMENT: *****

Ms. Catherine Henry rep. Mr. Resnick states that they will be coming before the GCC as they do not want to be bound by the V Series and want no determination made by

V. She would rather see the V Series removed from the record. They would like a new plan with the V Series removed.

PUBLIC COMMENT: Closed.

Mr. Gulla states he will entertain a motion to approve the delineation with the V series removed and pending any comments from DEP.

MOTION: Mr. Feener moves to approve the delineation with the above noted.

SECOND: Mr. Anderson VOTE: 5-0 all in favor

14 RIVERSIDE ROAD (Map 100, Lot 8)

NoI submitted by Richard Cahill to raze a dwelling and construct a new home with a new seasonal ramp and float on Mill River.

Richard Cahill and Peter Cerrelli present and stating that in review they came up with some viable alternatives with both being costly in time and labor and feel that they will work and be beneficial. The house will be taken down by hand preserving the existing foundation. Noted was either a reinforced pour or reinforced block. The Building Inspector was notified regarding the elevation of the cellar floor up 4 ft. The stairs and the sea wall will be repaired on an as needed basis. On the right side, the existing house can be bumped out. It was noted that a zoning appeal will be petitioned. They do not intend to encroach or disturb anything. Also noted was the removal of a wall on the riverside.

The Agent states that the concerns she had have been addressed. She would like to see a vegetated buffer along the sea wall. A submission in writing would be fine and notes that what Mr. Cahill has just been addressing needs to be in a narrative and submitted.

Mr. Gulla notes hay bales and siltation fencing to the front of the house. He notes that the plan will needed to be updated to reflect the discussion this evening.

The Agent notes that only one updated needs to be submitted.

Mr. Febiger inquired as to the elevation of the 1st floor and Mr. Gulla asked how far is it from the deck to the ground. Mr. Cahill stated approximately 7 ft.

The Agent notes that Dave Sargent has submitted comments and notes some conditions such as re: the floating dock, no chains are to be used, removal of the deck seasonally, non toxic materials are to be used and specified with the GCC before construction.

Mr. Manuell made notes regarding the discussion this evening. He states that he is in agreement with the comments from Dave Sargent.

PUBLIC COMMENT: none/closed

Mr. Gulla states he will entertain a motion to continue the matter to 12/19/07 7:05 PM

MOTION: Mr. Frontiero moves to continue the matter to the above date and time.

SECOND: Mr. Anderson VOTE: 5-0 all in favor

65 WOODWARD AVENUE (Map 219, Lot 118)

Request for Determination submitted by Rebecca Hill to construct a dwelling.

Rebecca and Sarah Hill present and stating that they lost the structure to a fire and would like to replace it.

The GCC reviews the plan.

Mr. Gulla asks if there is any type of mitigation for this kind of tree removal with Ms. Ryder stating replanting. She states that the house is already gone and notes the removal of trees near the roadway and that 10 trees were removed. She suggests a shade bush. Mr. Gulla notes in replacement there can be a great deal of erosion and notes some type of simple planting for soil stability, noting lawn along with plantings. He states that the GCC could approve this pending the submission of a planting plan.

The Agent notes that planting plans are available at her office.

Mr. Feener notes that keeping the stumps in place for now allows for stabilizing the soil. Ms. Hill states that they would like to remove 2 stumps that were trees at one time which were right up against the foundation.

Mr. Gulla states that the Agent needs to be notified and will go to the site and acknowledge the stumps and there location.

PUBLIC COMMENT: none/closed.

Mr. Gulla notes this as being a negative determination with the aforesaid conditions.

Ms. Ryder states that they may be restricting themselves with the location of the dumpster and the erosion control. She further states that it can be amended in the field at the site visit.

MOTION: Mr. Anderson moves for a negative determination with aforesaid conditions.

SECOND: Mr. Febiger VOTE: 5-0 all in favor

17 HORTON STREET (Map 128, Lot 22)

NoI submitted by Theodore Williams to construct a pier, seasonal gangway and float.

Mr. Steve Pardee rep. the applicant. Mr. Ted Williams is the co-owner and states that they are looking for approval of the plan. A concern was noted regarding the 4 X 8 ft mitigation and notes a tentative idea to use aluminum grading. He notes the following:

1 inch X 1 inch grid pattern with 99% of sunlight passage. He further notes the taking of existing earth and timber stairway and the planting of indigenous vegetation.

Mr. Gulla notes a site visit being previously done. He states that the real issue is the ramp and the shading of some of the bank which could cause vegetation to not to take, but now there seems to be the proper grate.

It was noted that they can keep the existing stairs.

Ms. Ryder notes that because it is so steep, with any loss of vegetation can be a cause for erosion.

Mr. Pardee notes pages # 2 and #5 and discusses the geo web information.

Mr. Feener notes the Virginia creeper as being shade tolerant.

Mr. Williams also notes pages #2 and #5.

Ms. Ryder notes that DMF denotes 18 inches to 4 ft. above vegetation.

She further notes that she has no documentation re: vegetation loss in sensitive areas.

Ms. Ryder states she is not in favor of the geo web.

Mr. Gulla conveys 2 options noting minimal distance re: vegetation and at least 18 inches and not touching the bank or an alternative system for the re-building of the stairs.

Ms. Ryder notes wanting some kind of state response re: no adverse impact on the coastal bank vegetation. There has to be ground clearance, not vegetation clearance. She would like some type of documentation from some state agency regarding this matter.

Mr. Williams asked if there were any other issues if they kept the stairs.

The Agents states that it depends on the process which you are proposing. She notes that both Jim and Dave pointed out that you would be avoiding 91. She states that she does not see any hardship going around.

Mr. Gulla notes that until we hear from DEP we cannot just guarantee that we will not have any further questions. He suggests that while the GCC waits for responses, the applicant should review the existing ramp.

The Agent notes that this is a revised plan that was dated 10/4/07. She further notes that she has no evidence that the applicant submitted a revised plan to DEP. No comments from Dave Sargent as of yet.

Mr. Feener stated that he would like to see the alternative. He notes using the existing stairway with modifications.

Mr. Gulla states that the plan or a revised plan needs to be submitted to the Agent.

Mr. Williams noted the trees, the shading and the position of the sun.

Mr. Gulla notes that it is not that simple for the GCC as there are rules and regulations that must be followed.

PUBLIC COMMENT: Closed.

Mr. Gulla states he will entertain a motion to continue.

MOTION: Mr. Feener moves to continue the matter to 01/09/08

SECOND: Mr. Febiger VOTE: 5-0 all in favor.

Ms. Ryder notes that she wants the GCC to note the plan and the revised plan re: the vegetation.

71, 73, 79 CONCORD STREET (Map 234, Lots 38, 39, 42)

Retail Management and Development Inc. to construct a commercial building with associated site work, utilities, parking and replication area.

Mr. Jim McKenna inquires with the GCC as to whether they want a complete presentation or just at this time noting key issues and the power point presentation at a later date. Mr. DeAngelo, Jeff Wilson and Jim Ward all present.

RE: Third party review cost:

NE Environmental \$16,555.00

Echo Tech. \$12,100.00

Beales and Thomas \$13,500.00

Ms. Ryder notes that everyone should discuss all three listed but she cannot recommend any of them.

Jeff Wilson presented an overview of the project to the GCC. He notes a large area which has been zoomed out to view the surrounding area. He notes Paul's Island Swamp area which is owned by the Essex County Greenbelt stating that they expressed an interest in what this is all about. He notes providing juvenile brook trout habitats. He further notes a huge amount of sediment at the corner of Concord Street which they will be cleaning up. He explained the chambers, riffles and the pool as highly oxygenated water.

Ms. Ryder asked why DEP is confusing re: perennial and intermittent streams.

Ms. Raddatz states that the perennial stream will stay and DEP maybe mistaken as we are creating a new one by moving it.

Mr. Gulla asked what the success rate is and what would be in place should this fail.

Jeff states that the goal is to bring a lot of things back, building the stream and notes 5 years for Brook Trout and 2 years for Smelts. Mr. Seacamp notes monitoring for 10 years.

Brian Pendleton notes Performance Standards totaling nine.

PUBLIC COMMENT:

Kathy Hulbert inquired as to where the closest stream was located with Jeff stating that it would be Manchester Woods – Saugus River – stream adjacent – Rte 20 & 95 Waltham, MA. He notes that stocking of the stream with brook trout from Essex Aggie (Essex Agricultural School).

PUBLIC COMMENT: Closed.

Mr. Anderson notes in re: the 3rd party review that the best seems to be the most expensive.

Ms. Ryder notes that a comment made re: the sewer line may have been misconstrued. The GCC needs to consider opening up the sewer line as a ***** until we see the environmental impacts. The GCC needs to discuss the restrictions and controls re: the public and the sewer line.

Mr. Gulla states he will entertain a motion to continue.

MOTION: Mr. Feener moves to continue the matter to 12/19/07 7:30 PM

SECOND: Mr. Frontiero **VOTE:** 5-0 all in favor.

LETTER PERMITS

3 KEYSTONE ROAD – re: utility lines through an existing driveway in buffer to BVW. (Mark Hubbard) Mr. Gulla has recused himself.

MOTION: Mr. Febiger moves to allow.

SECOND: Mr. Feener **VOTE:** 4-0 all in favor.

125 ATLANTIC ROAD – re: repaving an existing paved parking and driveway in buffer to coastal bank (Jim Bordinaro)

MOTION: Mr. Febiger moves to allow.

SECOND: Mr. Anderson **VOTE:** 5-0 all in favor.

MISERY ISLAND – Kestrel requests permission for the installation of raptor (Osprey) nesting platform on top of dead trees.

The Agents notes that the area is in resource but does not impact soils or disturb live vegetation.

MOTION: Mr. Feener moves to allow.

SECOND: Mr. Anderson **VOTE:** 5-0 all in favor.

7 WITHAM STREET – re: 1 yr. extension of request to pave the fueling pad.

The Agent notes that the previous permit issued with a requirement of an NoI to be filed. The NoI to be filed within 30 days of the Enforcement Order.

MOTION: Mr. Feener moves to allow.

SECOND: Mr. Anderson **VOTE:** 5-0 all in favor.

2 AILEEN TERRACE – re: re-pouring a foundation within a garage.
It was noted that the site is separated from the quarry with a solid wall.

MOTION: Mr. Febiger moves to allow.

SECOND: Mr. Anderson **VOTE:** 5-0 all in favor.

214 ATLANTIC - signatures needed. Signed.

25 WINGAERSHEEK – DEP appealed. The applicant at this property has filed a request for a superceding order from DEP. They feel vehicles should be allowed to access the home site as the footpath is 8 ft. wide and they feel that it plenty of room for construction vehicles. A site visit is scheduled for 12/12/07.

Further discussions were noted re:

3rd party peer reviews re:

27 Kondelin Road and 12 Rio Drive.

Composing at Gronblads Pit.

NS Con Comm. Network meeting in Danvers re: no discharge zones.

A request by Mr. Steven Goldin for an adjudicatory hearing for Bass Ave.

DCR – To the City of Gloucester - re: 4 notices of Dam Non Compliance and Dam Safety Orders for: Babson Reservoir, Fernwood Lake East Dam, Fernwood Lake West Dam and Fernwood Lake Dam. The Agent notes that Nol's must be filed with the GCC.

Mr. Gulla moves for a motion to adjourn.

MOTION: Mr. Feener moves to adjourn this session of the GCC.

SECOND: Mr. Febiger **VOTE:** 5-0 all in favor.

Meeting adjourned.

Respectfully submitted,

Carol A. Gray
Recording Clerk